

# Notice of Allowability

Application No.

10/620,065

Examiner

Nasser Ahmad

Applicant(s)

BESNER ET AL.

Art Unit

1772

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/22/2006.
2. ☒ The allowed claim(s) is/are 1,3,4,8,9,11,15-16, 18-25,27-29,32,34,35 and 37-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.

Continuation of Attachment(s) 9. Other: drawings filed on 7/15/03 are acceptable to the examiner.

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### **Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/22/2006 has been entered.

### **CLAIMS RENUMBERING**

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 39-41 (as originally filed on 7/15/2003) have been renumbered as claims 36-39, by hand correction on 1/28/2004.

The first Office Action of 12/9/2004 was based on the corrected claims 1-39.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

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Authorization for this examiner's amendment was given in a telephone interview with F. Rhett Brockington on 8/17/2006.

The application has been amended as follows:

Claims 1 and 25, line 4, the word "quilted" has been replaced by the phrase - - completely quilted patterned- -.

Claim 1, line 4, before "water", the word - -lower- - has been inserted.

Claim 1, line 5, before "absorbent", the word - -upper- - has been added.

Claim 1, line 8, after ";", the phrase - -an inner oval section comprising a completely quilted patterned multilayer sheet having a water impervious lower layer and an absorbent upper layer attached to the lower layer, wherein the inner oval section is detachably attached to the inner edge of the annulus by perforations extending along the entire inner edge of the annulus; - - has been added.

Claim 1, line 9, the phrase "a quilt" has been changed to - - the quilt- -.

Claim 1, line 12, the word "for" has been deleted.

Claim 1, line 12, the phrase "to a'" has been changed to - - to the- -.

Claim 1, line 14, after "layer", the phrase - - of the annulus- - has been added.

Claims 10 and 14 have been cancelled as being redundant.

Claim 19, line 3, before "material", the word - -fibrous- - has been added.

Claim 25, line 4, before "filmic", the word - -lower- - has been inserted.

Claim 25, line 5, the phrase "absorbent layer" has been changed to - -upper nonwoven absorbent layer attached to the lower layer- -.

Claim 25, line 6, after "tissue", the phrase - -; an inner oval section comprising a completely quilted patterned multilayer sheet having a water impervious lower layer and an absorbent upper layer attached to the lower layer, wherein the inner oval section is detachably attached to the inner edge of the annulus by perforations extending along the entire inner edge of the annulus - - has been added.

Claim 25, line 9, the phrase "a quilt" has been changed to - - the quilt- -.

Claim 25, line 14, the phrase "to a" has been changed to - - to the- -.

Claim 25, line 16, after "layer", the phrase - - of the annulus- - has been added.

Claim 25, line 16, the word "comprises" has been replaced by the phrase - - is covered with- -.

Claims 33 and 40 have been cancelled as being redundant.

Claim 38, line 3, the article "a" has been changed to - -the- -.

### **REASONS FOR ALLOWANCE**

4. The following is an examiner's statement of reasons for allowance:

A review of applicants' arguments in amendment filed on 6/22/2006 and a review of the instant amended claims has convinced the examiner that the claims are allowable over the applied prior art of record. The prior art fails to teach or suggest a disposable toilet seat cover comprising an annulus having a polygonal perimeter and a continuous inner edge, an inner section is attached to inner edge of the annulus by perforations extending along the entire inner edge, both the annuls and the inner section are of completely quilted patterned multilayer sheet of upper absorbent layer and lower water

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impervious layer, and that the quilt pattern provides with raised areas on the impervious layer and intervening recessed regions on the absorbent layer.

The closest prior art of ALBRECHT (USP 4875242) fails to teach a quilted pattern with raised areas on the impervious layer and recessed regions on the absorbent layer, an inner section having the quilted pattern and attached to the inner continuous edge of the annulus by perforations extending along the entire inner edge.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Nasser Ahmad 8/18/06  
Primary Examiner  
Art Unit 1772

N. Ahmad.  
August 18, 2006.